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Dimitris Achlioptas

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EXAMINER

CHRISTENSEN, SCOTT B

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|---|--|
| Office Action Summary | Application No. 10/675,125 | Applicant(s) ACHLIOPTAS, DIMITRIS | |
| | Examiner Scott Christensen | Art Unit 2444 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-18,20-30 and 32-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-18,20-30 and 32-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in regards to the most recent papers filed on 8/18/2008

Response to Arguments

2. Applicant's arguments filed 6/9/2009 have been fully considered but they are not persuasive.
3. On pages 10-12, Applicant argues that Graham does not disclose, "user selectable semantic-centric input features that automatically present a user with annotation based, at least in part, on one or more datum related to a user and, at least in part, reflects a context of the current computer-based interaction, such that selection of a user selectable semantic-centric input feature is an assertion of the related automatically presented annotation regarding user perceptions about the computer-based interaction."

Applicant argues that Graham "merely allows users to manually enter terms that are used to search portions of documents to determine which portions are relevant for printing purposes." However, it is noted that the instant claim provides no requirement as to where the information is retrieved in such a way as to specifically bar the user from being able to manually input information, such as in Graham.

Further, on page 11, Applicant argues that Stern explicitly teaches away from "user selectable semantic-centric input features." However, the passage cited by applicant fails to specifically criticize, discredit, or otherwise discourage the solution claimed (See MPEP 2123 II). For Applicant to successfully demonstrate that a

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reference teaches away from a solution claimed, there must be a specific disclosure in the reference that specifically criticizes, discredits, or otherwise discourages the solution claimed. Mere differences between the reference and the instant claims do not teach away from the solution claimed.

Accordingly, the rejection of the instant claims have been maintained.

4. Applicant should amend the claim in a fashion that specifically claims applicant's invention. The language currently utilized in the instant claims is rather broad, as the terms are vague and provide for very few limitations.

For instance, Applicant can explicitly claim what is meant by:

"semantic-centric input features;"

how these features constitute "an assertion;"

what constitutes an "annotation;"

what constitutes a "profile," and how the profile is utilized;

where the profile is stored;

what constitutes the "one or more datum related to a user," how the datum is collected, and how the datum relates to the user;

how the annotation is "automatically" presented (i.e. what constitutes "automatically;" and

what constitutes the "current computer-based interaction" (e.g. as currently claimed, a current computer-based interaction can be any interaction, whether it is a user input, a received web page, the computer starting up, etc. Meanwhile, in the specification, the interaction appears to pertain specifically to received web pages.).

Amending the claims to clarify these points in a clear, explicit, and specific fashion should serve to move the application forward.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-3, 5-20, 24-30, 32-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graham et al. (Graham) US Pat. No. 6582475, in view of Stern (Stern), US PG. Pub. No. 2003/0038840.

7. Regarding Claim 1, Graham discloses a computer implemented system that facilitates building a profile comprising:

a processor communicatively coupled to a memory, said memory having stored thereon computer-executable instructions configured to implement the profile building system including (Graham: Figure 1, 14):

at least one input component , the input component comprising a plurality of user selectable semantic-centric input components that present a user with an annotation based, at least in part, on one or more datum related to a user and, at least in part, reflects context of the current computer-based interaction (Graham: Figure 3, 302 and Column 4, lines 46-52 and Figure 8. Graham has the user input a series of concepts of interest, then presents annotations based on these

items of interest. The inputs are clearly related to a user, and there is no requirement that the user not input the one or more datum manually.), such that selection of a user selectable semantic-centric input feature is an assertion of the presented annotation regarding user perceptions about the current computer-based interaction (Graham: Column 6, lines 20-24 and Figure 5); and

a profile component that populates a profile of the user (Graham: Column 3, lines 52-55), with the user asserted annotations (Graham: Column 6, lines 25-28 and Figure 5. The profile editor is employed to maintain the interests and user specific information in the user profile file.).

However, Graham does not explicitly teach that the features automatically present information to the user.

In the same field of endeavor, Stern teaches a system that automatically obtains information and data and presents the user with information (Stern: Paragraph [0055]).

It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine Stern's teachings as discussed above with the teachings of Graham, for the purpose of presenting a user with information related to the user's actions, thus allowing the user to more effectively retrieve information that is likely to be pertinent to the user's interests (Stern: Paragraph [0015]). Graham provides motivation to do so by personalizing operation of an assistant for a particular user by setting of sensitivity level and selection of relevant topics of interest (Graham: Column 2, lines 6-9).

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8. Regarding Claim 2, Graham as modified by Stern teaches a web browser (Graham: Column 9, lines 32-35. There is no requirement as to what role the web browser has in the system, thus any web browser that is part of the same system that performs the functionality claimed is satisfactory, even if the web browser does not perform any of the functionality.).

9. Regarding Claim 3, Graham as modified by Stern teaches a search engine (Graham: Column 8, lines 47-54).

10. Regarding Claim 5, Graham as modified by Stern teaches that the semantic-centric input components respectively are UI buttons (Graham: Column 4, lines 46-52).

11. Regarding Claim 6, Graham as modified by Stern teaches an extraction component that analyzes a web page and that extracts semantic components of at least portions of the web page (Graham: Figure 5, 512. The content recognition extracts the semantic components of a document from internet.).

12. Regarding Claim 7, Graham as modified by Stern teaches a profile review component (Graham: Figure 5, 518) that allows the user to review and/or edit the profile (Graham: Column 6, lines 27-28. The user employs the profile editor to modify the contents of the user profile.).

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13. Regarding Claim 8, Graham as modified by Stern teaches an inference component that makes declarations on behalf of the user (Graham: Figure 7, 700. The belief system makes the declarations.).

14. Regarding Claim 9, Graham as modified by Stern that the inference component comprising at least one of: a support vector machine (SVM), a naive Bayes model, a Bayesian network, a decision tree, a Hidden Markov Model (HMM), neural network, data fusion engine (Graham: Column 7, line 5).

15. Regarding Claim 10, Graham as modified by Stern teaches that the inference component comprises a classifier (Graham: Figure 7, 700).

16. Regarding Claim 11, Graham as modified by Stern that the inference component infers when to make a declaration on behalf of the user (Graham: Column 7, lines 43-46).

17. Regarding Claim 12, Graham as modified by Stern teaches a privacy-preserving searching component that allows the user to search for others who have a similar profile as the user (Graham: Column 7, lines 32-34).

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18. Regarding Claim 13, Graham as modified by Stern teaches that dissemination of at least a portion of the user profile is selective and controlled by the discretion of the user (Graham: Column 8, lines 1-7 and Figure 8, 802).

19. Regarding Claim 14, Graham as modified by Stern teaches that the user profile comprises information relating to opinions, expertise, and experiences of the user, the profile being created by the user in a passive manner (Graham: Column 6, lines 25-29).

20. Regarding Claim 15, Graham as modified by Stern teaches that the computer-based interaction is viewing any one of a web page, a web site, and search results (Graham: Column 6, lines 31-36).

21. With regard to claims 16-20 and 24-27, the instant claims are substantially similar to subject matter presented in claims 1, 5, 6, 7, and 8, and are rejected for substantially similar reasons.

With regard to claim 28, the instant claim includes subject matter substantially similar to that presented with regard to claim 1, and is rejected for substantially similar reasons. Further, Graham as modified by Stern teaches selectively sharing the user's personal profile with the others (Graham: Column 8, lines 1-7 and Figure 8. The user can select to whom to assign rights of access to the profile by selecting them.).

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22. Regarding Claim 29, Graham as modified by Stern teaches that the user is browsing a web page and concurrently makes declarations regarding the user's perceptions with respect to the web page (Graham: Figure 8 and Figure 9).

23. Regarding Claim 30, Graham as modified by Stern teaches that the method of claim 28 performed at least in part by a web browser (Graham: Figure 8, and Figure 9).

24. With regard to claim 32, the instant claim is substantially similar to subject matter presented in claim 1, and is rejected for substantially similar reasons.

25. With regard to claim 33, the instant claim is substantially similar to subject matter presented in claim 1, and is rejected for substantially similar reasons.

26. Regarding Claim 34, Graham as modified by Stern teaches:
means for analyzing a web page (Graham: Figure 5, 508);
means for extracting one or more semantic components of at least a portion of the web page (Graham: Figure 5, 508); and
means for morphing the one or more input components based at least in part upon the semantic components in an automatic fashion (Graham: Figure 8).

27. With regard to claim 35, the instant claim is substantially similar to subject matter presented in claim 28, and is rejected for substantially similar reasons.

28. With regard to claim 38, the instant claim includes subject matter that is substantially similar to claim 1 and is rejected for substantially similar reasons. Further, Graham as modified by Stern teaches:

wherein the potential user perceptions at least in part relate to at least one of an emotional response of the user, an experience of the user, a desire of the user, a philosophy of the user, a preference of the user, a goal of the user, an opinion of the user, relevance to the user, a theology of the user, an insight of the user, and a conception of the user (what the user sees on the screen is what the user perceives and what is displayed on the screen is in part related to the users goal of selection of a portion of the document to be printed).

Claim Rejections - 35 USC § 103

29. Claims 21- 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graham, in view of Stern, further in view of Wolpe (US PG Pub. No. 2002/0174144) hereafter "Wolpe".

30. Regarding Claim 21, Graham as modified by Stern teaches the invention as substantially claimed except morphing the one or more input components.

In the same field of endeavor, Wolpe teaches morphing one or more input components (Wolpe: Paragraph [0034]. Wolpe teaches changing or morphing of a word or phrase, which may be a personalized (semantic) version of a word or phrase presented to the user in a popup window.).

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It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine Wolpe's teaching of changing or morphing of the input component with the teachings of Graham-Stern, for the purpose of enabling users to seamlessly manage, navigate, and share the information both locally and remotely via a LAN, WAN or the Internet. Graham provides motivation to do so, by personalizing the operations of an assistant for a particular user by setting sensitivity levels and selection of relevant information and topics of interest (Graham: Page 2, lines 6-12).

31. Regarding Claim 22, Graham as modified by stern teaches the invention as substantially claimed except that the morphing of the one or more input components based at least in part upon user behavior with respect to movement of a pointer device.

In the same field of endeavor, Wolpe teaches monitoring the user's behavior base on the user's manipulation of the mouse or other user interface devices (Wolpe: Page 4, Paragraph [0038], lines 1-9).

It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine Wolpe's teaching of monitoring the user's behavior base on the users manipulation of the mouse or other user interface devices with the teachings of Graham-Stern, for the purpose of enabling users to seamlessly manage, navigate, and share the information both locally and remotely via a LAN, WAN or the Internet. Graham provides motivation to do so, by personalizing the

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operations of an assistant for a particular user by setting sensitivity levels and selection of relevant information and topics of interest (Graham: Page 2, lines 6-12).

32. Regarding Claim 23, Graham as modified by Stern and Wolpe teaches that the pointer device comprises a mouse (Graham: Figure 1, 36 and Column 4, lines 22-25).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Christensen whose telephone number is (571)270-1144. The examiner can normally be reached on Monday through Thursday 6:30AM - 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. C./
Examiner, Art Unit 2444
/William C. Vaughn, Jr./
Supervisory Patent Examiner, Art Unit 2444